

IN THE US PATENT AND TRADEMARK OFFICE

Application Number: 10/771,092
Agent's Docket Number: NSL-022
Filing Date: February 2, 2004
Applicant: Martin R. Roscheisen, et al.
Application Title: PHOTOVOLTAIC DEVICES FABRICATED FROM
NANOSTRUCTURED TEMPLATE
Examiner: Miriam Berdichevsky
Art Unit: 1795

COMMUNICATION

Commissioner of Patents and Trademarks
Alexandria, VA 22313

Sir:

In response to the Notice of Allowance mailed May 18, 2009, kindly consider the following remarks.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Applicants object to the Examiner's reasons for allowance, to the extent, if any, that the Examiner's reasons for allowance based on this reference or any of the other cited references may be interpreted as introducing limitations not recited in the claims. The Examiner's comments regarding criticality of any particular component of the claimed invention or characterization of the cited references reflect merely the view of the Examiner and should not be interpreted as narrowing the scope of the claim. The scope of the present invention should be determined with reference to the paramount rule of claim construction that claims are given their plain meaning, in the broadest manner possible along with their full scope of equivalents (unless otherwise specified by definitions provided by the Applicant).

CONCLUSION

The Applicants respectfully request that the above comments be entered into the record of the application and that the application be scheduled for publication and issuance in due course.

Respectfully submitted,

/Hao Y. Tung/

Hao Y. Tung, Reg. No. 43,209

Date: August 17, 2009

NANOSOLAR, INC.
5521 Hellyer Ave.
San Jose, CA 95138
tel.: (408) 365-5960
fax.: (408) 365-5965